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Federal Communications Commission
Washington, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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| In the Matter of |) | |
| |) | |
| Amendment of Section 73.622(b) of |) | MM Docket No. |
| The Commission's Rules, DTV |) | RM No. |
| Table of Allotments |) | |
| (Oklahoma City, Oklahoma) |) | |

To: The Chief, Allocations Branch:

**AMENDED PETITION FOR RULEMAKING
AND REQUEST FOR EXPEDITED ACTION**

1. Paramount Stations Group of Oklahoma City LCC ("Paramount"), seeks to amend its petition for rulemaking in the above-captioned matter which it filed on July 20, 1999. Pursuant to Section 73.623 of the Commission's rules, 47 C.F.R. §73.623, Paramount requested that the Commission institute a rulemaking proceeding for the purpose of amending the Table of Allotments for the digital television ("DTV") service to change the initial DTV channel allotment for station KAUT-DT, Oklahoma City, Oklahoma, from channel 42 to 40. In light of the impending November 1, 1999, deadline for Paramount to file KAUT-DT construction permit application (Paramount has since filed a timely request for an extension of this filing deadline), Paramount respectfully requested expedited action on this petition.

2. Paramount is the licensee of television station KAUT-TV, Oklahoma City, Oklahoma, which currently operates on NTSC channel 43. Paramount demonstrated in an engineering exhibit that the co-channel DTV allotments of KAUT-DT and KTFO-DT, Tulsa, Oklahoma, are in such close proximity to one another that each of the stations is the most significant interference contributor within the other station's service area.

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3. In addition to this co-channel interference problem, Paramount demonstrated that any future power increases by either KAUT-DT or KFTO-DT would be severely constrained by the need to protect the service area of the other station.

4. Paramount thus proposed to amend the DTV Table of Allotments to substitute Channel 40 in place of Channel 42 at Oklahoma City, Oklahoma, for the use of KAUT-DT. Paramount demonstrated in its engineering exhibit that the allocation of Channel 40 at the KAUT-DT reference coordinates would be fully-spaced pursuant to the spacing criteria for new DTV allocations set forth in Section 73.622(d) of the Commission's rules, 47 C.F.R. §73.622(d). Moreover, Paramount demonstrated that such a change would result in no additional interference to NTSC stations or DTV allotments and would eliminate the very real potential for interference between KAUT-DT and KTFO-DT.

5. In its instant petition, Paramount proposes to amend its July 20, 1999, petition to request maximized facilities for KAUT-DT. Accordingly, Paramount proposes to create the new channel 40 allotment at the same reference location and height as the present channel 42 allotment, but with a **maximized ERP of 1000 kilowatts and the directional antenna pattern assigned to the channel 27 DTV allotment for KROR-DT (the "largest station" in the market), pursuant to Section 73.622(f)(s) of the Commission's rules.** The attached engineering exhibit by Hammett & Edison, Inc. demonstrates that not only would the proposed maximized facilities result in less than *de*

minimus interference to other stations, but that the allocation of Channel 40 at KAUT-DT's reference coordinates would be fully-spaced pursuant to the spacing criteria for new DTV allocations set forth in Section 73.622(d) of the Commission's rules, (47 C. C.F.R. § 73.622(d)) and would result in significantly less interference to other stations. Moreover, such a change would eliminate the potential for interference between KAUT-DT and KTFO-DT.

Respectfully submitted,

By: Raymond A. White
Raymond A. White
Regulatory Counsel

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May 1, 2000

**Paramount Stations Group of Oklahoma City
Station KAUT-TV
Oklahoma City, Oklahoma**

**Engineering Exhibit
in Support of Petition
for Rulemaking**

April 28, 2000

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Station KAUT-TV • Oklahoma City, Oklahoma

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by Paramount Stations Group of Oklahoma City, licensee of Station KAUT-TV, NTSC Channel 43, Oklahoma City, Oklahoma, to prepare an engineering exhibit in support of its petition for rulemaking to amend the DTV Table of Allotments, Section 73.622(b), to replace the DTV Channel 42 allotment at Oklahoma City with DTV Channel 40.

Background

Station KAUT-TV is presently licensed to operate on NTSC Channel 43, serving Oklahoma City, Oklahoma, with omnidirectional transmitting facilities of 1,950 kilowatts peak visual effective radiated power at a height above average terrain (HAAT) of 475 meters. In the *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order* in MM Docket 87-268, adopted February 23, 1998, the Commission assigned DTV Channel 42 to KAUT-TV, with specified parameters of 57.7 kilowatts average effective radiated power (ERP) at 475 meters HAAT, using a directional antenna pattern derived from the omni-directional operation of the KAUT-TV NTSC facility, adjusted for F(50,90) service at UHF.

In the same proceeding, TV Station KTFO, NTSC Channel 41, Tulsa, Oklahoma, was also assigned DTV Channel 42, with specified parameters of 50 kilowatts ERP at 460 meters HAAT. The KTFO-DT reference site is located 171.9 kilometers from the KAUT-DT reference coordinates

Predicted Interference on DTV Channel 42

Since the co-channel allotments for KAUT-DT and KTFO-DT are so close, both stations are the most significant interference contributor within the other station's service area. Calculations performed using the FCC OET-69 interference prediction methodology, described in detail in Figure 1, indicate that interference would be caused by KTFO-DT, as allotted, to 9,615 persons in the KAUT-DT service area, and that interference would be caused by KAUT-DT, as allotted, to 5,753 persons in the KTFO-DT service area. In addition, any future power increase by either station would be severely constrained by the need to protect the service area of the other.

Channel 40 Allocation Conditions

Due to the very real risk of co-channel interference within the service areas of both KAUT-DT and KTFO-DT, it is proposed to amend the Digital Television Table of Allotments in Section 73.622 of the FCC Rules to substitute Channel 40 in place of Channel 42 at Oklahoma City, Oklahoma, for

Station KAUT-TV • Oklahoma City, Oklahoma

the use of KAUT-DT. It is proposed to create the new Channel 40 allotment at the same reference location and height as the present Channel 42 allotment, but with a maximized ERP of 1,000 kilowatts and the directional antenna pattern assigned to the Channel 27 DTV allotment for KFOR-DT (the "largest station" in the market), pursuant to Section 73.622(f)(5) of the FCC Rules. Not only would this allotment change result in less than *de minimus* interference to other stations, as shown in the summary of OET-69 calculation results in Figure 2, but the allocation of Channel 40 at the KAUT-DT reference coordinates would be fully-spaced pursuant to the spacing criteria for new DTV allocations set forth in Section 73.623(d) of the FCC Rules, as shown in Figure 3.

Summary

Changing the channel of the DTV allotment for KAUT-DT from Channel 42 to Channel 40 meets the FCC Rules for protection of NTSC operations and DTV allotments from interference, as well as the spacing rules for new DTV allotments, and would eliminate the potential for interference between KAUT-DT and KTFO-DT.

List of Figures

In carrying out these engineering studies, the following attached figures were prepared under my direct supervision:

1. TVIXSTUDY™ methodology
2. Summary of OET-69 interference study
3. Table showing allocation spacing restrictions.



Daniel G.P. Mansergh

April 28, 2000

Affidavit

State of California

ss:

County of Sonoma

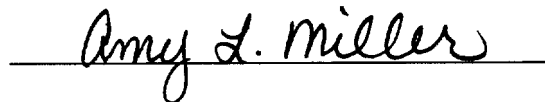
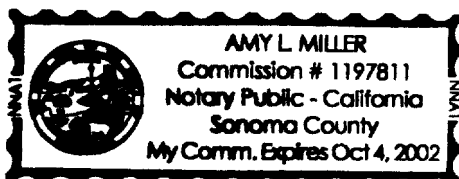
Daniel G.P. Mansergh, being first duly sworn upon oath, deposes and says:

1. That he is a qualified engineer and is employed by the firm of Hammett & Edison, Inc., Consulting Engineers, with offices located near the city of San Francisco, California,
2. That he graduated with honors from the University of California at Santa Cruz with a Bachelor of Arts degree in 1992, completed two years of employment with Apogee Sound, Inc., and has been associated with the firm of Hammett & Edison, Inc., since October 1994,
3. That the firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by Paramount Stations Group of Oklahoma City, licensee of Station KAUT-TV, NTSC Channel 43, Oklahoma City, Oklahoma, to prepare an engineering exhibit in support of its petition for rulemaking to amend the DTV Table of Allotments, Section 73.622(b), to replace the DTV Channel 42 allotment at Oklahoma City with DTV Channel 40,
4. That such engineering work has been carried out by him or under his direction and that the results thereof are attached hereto and form a part of this affidavit, and
5. That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge except such statements made therein on information and belief and, as to such statements, he believes them to be true.



Daniel G.P. Mansergh

Subscribed and sworn to before me this 28th day of April, 2000



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

990622.1
Affidavit

TVIXSTUDY™ Analysis Methodology

Implementation of FCC's Interference-Based Allocation Algorithm

On April 21, 1997, the Federal Communications Commission released its Fifth and Sixth Report and Order texts to Mass Media Docket No. 87-268, establishing a final Table of Allotments for the transition from analog NTSC television service to a digital television ("DTV") service. The Commission utilized a complex set of computerized analysis tools to generate the DTV allotment table and added FCC Rules Section 73.623(b)(2), requiring that similar tools be employed to analyze individual DTV station assignments with regard to their potential interference to other DTV stations, DTV allotments, and existing or authorized NTSC facilities. Those tools were described in FCC OET Bulletin No. 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference* ("OET-69"), released on July 2, 1997. Subsequent to OET-69, the Commission released, on February 23, 1998, its Memorandum Opinion and Order on Reconsideration of the Fifth [and Sixth] Report and Order[s], which made a number of changes to the previous allotment table and modified several of the analysis methods to be employed for studying DTV allotments and potential facility modifications. On August 10, 1998, the Commission published a text, *Additional Application Processing Guidelines for Digital Television (DTV)*, which provided important clarifications and enhancements to the specified analysis methods. Hammett & Edison has developed and refined the TVIXSTUDY computer software to perform FCC-style DTV allocation studies as based on OET-69, its subsequent clarifications, and also upon a detailed examination of the FCC allotment program software source code.

For most NTSC or DTV stations to be studied, the FCC analysis model first determines the location of the conventional F(50,50) Grade B contour of the NTSC station, or of the NTSC station associated with an assigned DTV station, using pattern information contained in the FCC engineering database and an assumed antenna elevation pattern. The model assumes that contour as an envelope, outside of which no protection from interference is implied or afforded. The location of the Grade B contour was used to determine the assigned power for the DTV station, once again using conventional methods found in FCC Rules Section 73.699, Figures 9 and 10, determining the power necessary on a radial basis to generate the associated DTV coverage contour (41 dBu for UHF, 36 dBu for high VHF Channels 7-13, and 28 dBu for low VHF Channels 2-6), for an assigned DTV channel. The maximum power determined using this method was assigned as the DTV operating power, provided it was calculated to be above established minimum power levels; otherwise, a minimum power level was assigned. By the same token, facilities with calculated DTV power levels above the established maximum power levels for a given channel were assigned the maximum power level. The use of this method usually creates a directional DTV antenna replication pattern, even for DTV assignments to presently omnidirectional NTSC TV stations. The FCC requires that a DTV facility employ an antenna design that meets the calculated replication envelope parameters, unless, with a few exceptions, zero or *de minimus* new interference to other facilities can be demonstrated.

In addition to the use of the Grade B envelope and an assumed directional transmitting antenna for all DTV facilities, the model assumes the use of directive receiving antennas at each studied location, or "cell." The characteristics of the receiving antennas are different, not only for the low



VHF, high VHF, and UHF frequency bands, but also for NTSC and DTV receiving situations; the FCC model specifies that more directive antennas be employed for analysis of DTV reception.

The FCC analysis technique employs terrain-sensitive calculation methods based on Version 1.2.2 of the ITS Irregular Terrain Model, also known as the Longley-Rice model. For each NTSC or DTV station to be studied, a grid of cells, two kilometers on a side, fills the associated Grade B or noise-limited contour. The program first determines which of the cells is predicted to receive service from the associated station, using Longley-Rice analysis with F(50,50) statistical weighting for NTSC and F(50,90) statistical weighting for DTV stations. Cells determined to have no service are not studied for interference from other stations.* Once cells having service are determined, the software analyzes potential interference from other NTSC or DTV stations, again using the Longley-Rice propagation algorithm and defined statistical weighting for all potential interfering signals. Each cell is evaluated, as appropriate, using the desired-to-undesired ratios and methods presented in FCC Rules Section 73.622, 73.623, and 74.706 for each channel relationship, and cells determined to have interference are flagged and excluded from further study, resulting in the generation of net interference-free coverage population totals.

The TVIXSTUDY analysis program employs all of the OET-69 analysis features described above, as well as several other more subtle elements prescribed by the FCC. Additionally, the program allows modeling of implementation scenarios that involve changes to effective radiated power, antenna height, antenna pattern, channel number, and/or transmitter location. TVIXSTUDY also can identify cells that fall in major bodies of water, as based on digitized map data, excluding them from the study. The program is primarily intended to study the effects of existing/potential NTSC or DTV facilities on other DTV or NTSC facilities, as based on desired-to-undesired ratio parameters defined in OET-69. A typical TVIXSTUDY analysis summary includes technical parameters of the proposed DTV or NTSC facility, along with its original (pre-modification) technical parameters, if any. Also included is a listing of each protected DTV and/or NTSC facility or allotment with associated interference-free population tabulations and the unique interference population resulting from operation of the proposed facility. TVIXSTUDY is similar to the program TVCOVSTUDY, which instead predicts the interference-limited coverage of a selected facility.

The results of the OET-69 algorithm are dependent on the use of computer databases, including terrain, population, and FCC engineering records. FCC Rules §0.434(e) specifically disclaims the accuracy of its databases, recommending the use of primary data sources (*i.e.*, paper documents), which is not practical for DTV interference analyses. Further, while Hammett & Edison, Inc. endeavors to follow official releases and established precedents on the matter, FCC policy on DTV analysis methods is constantly changing. Thus, the results of OET-69 interference and coverage studies are subject to change and may differ from FCC results.

* It is noted that the Longley-Rice model is not always capable of determining, within certain confidence limits, whether a particular cell has service. In such cases, the Longley-Rice algorithm returns an error code; the FCC method for handling such error codes is to assume that the associated cells have interference-free service and, as such, are not further considered. The Hammett & Edison TVIXSTUDY program reports the number of such error cells for a given study and provides the option of generating a map showing their locations, which may be useful for further review using other propagation analysis tools.



Station KAUT-TV • Oklahoma City, Oklahoma

Results of OET-69 Interference Study

Interference analysis
tvixstudy 2.3.5

Before case parameters:
(same as "Original" below)

After case parameters:

| | --Modified----- | --Original----- |
|--------------------|-------------------|-----------------------|
| Station: | D40 KAUTDT allot | D42 KAUTDT allot |
| City: | OKLAHOMA CITY, OK | OKLAHOMA CITY, OK |
| Coordinates: | N 35-35-22.0 | N 35-35-22.0 |
| | W 97-29-03.0 | W 97-29-03.0 |
| Height AMSL: | 824.0 m | 824.0 m |
| Maximum ERP: | 1000 kW | 57.7 kW |
| Azimuth pattern: | kfordt-rep.apat | DTV1176 (replication) |
| Orientation: | 0.0 | 0.0 |
| Elevation pattern: | OET-69 generic | OET-69 generic |
| Service level: | 41.2 dBu | 41.3 dBu |

| Protected station | | | Before | | After | | %Chng |
|-------------------|-------------------|--|------------------|--------------------------|--------------------------|--|-------|
| | | | BasePop 1000s | IX Change 1000s %Base | IX Change 1000s %Base | | |
| N25 KOKH-TV LIC | OKLAHOMA CITY, OK | | 1,136 | 0 0.0 | 0 0.0 | | 0.0 |
| N25 KOKH-TV CP | OKLAHOMA CITY, OK | | 1,151 | 0 0.0 | 0 0.0 | | 0.0 |
| N43 KAUT-TV LIC | OKLAHOMA CITY, OK | | 1,130 | 10 0.9 | 10 0.9 | | 0.0 |
| N41 KTFO LIC | TULSA, OK | | 917 | 0 0.0 | 0 0.0 | | 0.0 |
| N40 KHBS LIC | FORT SMITH, AR | | 292 | 4 1.4 | 6 2.1 | | 0.7 |
| N26 970331SF APP | ENID, OK | | 1,053 | 2 0.2 | 2 0.2 | | 0.0 |
| D40 KXTX-DT APP | DALLAS, TX | | 4,095 | -140 -3.4 | -140 -3.4 | | 0.0 |
| D40 KXTXDT allot | DALLAS, TX | | 4,095 | 10 0.2 | 11 0.3 | | 0.1 |
| ERP = 221 kW | | | | | | | |
| D39 KWTW-DT APP | OKLAHOMA CITY, OK | | 1,296 | -172 -13.3 | -172 -13.3 | | 0.0 |
| D39 KWTVDT allot | OKLAHOMA CITY, OK | | 1,296 | 0 0.0 | 12 0.9 | | 0.9 |
| ERP = 841 kW | | | | | | | |
| D40 allot | FORT SCOTT, KS | | 329 | 1 0.3 | 1 0.3 | | 0.0 |
| ERP = 327 kW | | | | | | | |

Station KAUT-TV • Oklahoma City, Oklahoma

Allocation Spacing Restrictions

| Channel | Call Sign | Status | Location | Required Distance | Actual Distance |
|---------|-------------------------|-------------|-------------------------|-------------------|-----------------|
| 25 | KOKH-TV | Licensed | Oklahoma City, Oklahoma | <24.1 km | 4.5 km |
| 26* | None | Allocation | Enid, Oklahoma | >96.6 | 96.1 |
| 32 | None | Allocation | McAlester, Oklahoma | >96.6 | 172.6 |
| 33 | KWCV | Application | Wichita, Kansas | >96.6 | 233.1 |
| 36 | None | Allocation | Lawton, Oklahoma | >96.6 | 137.3 |
| 37 | — No U.S. Allocations — | | | | |
| 38 | None | Allocation | Tyler, Texas | >96.6 | 411.7 |
| 39 | KWTV-DT | Application | Oklahoma City, Oklahoma | <24.0 | 1.0 |
| 40† | KHBS | Licensed | Fort Smith, Arkansas | >244.6 | 261.4 |
| 41 | KTFO | Licensed | Tulsa, Oklahoma | >106.0 | 171.9 |
| 42 | None | Application | Wichita, Kansas | >96.6 | 233.6 |
| 43 | KAUT-TV | Licensed | Oklahoma City, Oklahoma | <24.1 | 0.0 |
| 44 | KTPX | Licensed | Okmulgee, Oklahoma | >96.6 | 126.0 |
| 47 | KWHB | Licensed | Tulsa, Oklahoma | >96.6 | 170.3 |
| 48 | None | Allocation | Hugo, Oklahoma | >96.6 | 251.7 |

* This allocation is scheduled to be deleted, since the two applications for the allotment are not listed in the auction list in Attachment A to Report No. AUC-99-25-A. The next-closest NTSC record is for an allocation at Sherman, Texas, located 230.9 kilometers distant.

† The open allocation at Duncan, Oklahoma, is scheduled to be deleted.